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Note verbale dated 28 March 2018 from the Permanent Mission of Serbia to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Republic of Serbia to the United Nations has the honour to forward a copy of the letter from the First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia, Ivica Dačić, addressed to the President of the Security Council (see annex).

The distribution of the present letter and its annex to all the members of the Security Council would be greatly appreciated.

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Annex to the note verbale dated 28 March 2018 from the Permanent Mission of Serbia to the United Nations addressed to the President of the Security Council

Belgrade, 28 March 2018

Excellency,

I wish to inform you about the terrifying events that took place in Kosovo and Metohija, southern Serbian province, on 26 March 2018.

Mr. Marko Djuric is the Chief of the team for negotiations between Belgrade and Pristina and Head of the negotiating group for Chapter 35 in Serbia's EU accession talks. In addition, Mr. Djuric is also Head of the Task Force for Support to Internal Dialogue on Kosovo and Metohija, which was initiated by H.E. Mr. Aleksandar Vucic, President of the Republic of Serbia, with a view to taking up all proposals that could help solve the Kosovo and Metohija issue and reach a compromise with the Albanian national minority living there.

Mr. Djuric has had regular meetings in Brussels with Albanian representatives from Kosovo and Metohija within the EU-facilitated dialogue. In the last 6 years he even met them every ten days, sometimes. He is a state official, known to everyone as a negotiator, a man who advocates dialogue, peace and problem resolution.

On the very day of 26 March, Mr. Djuric and his associates were in Kosovska Mitrovica, a town in northern part of the province, where he was supposed to have meetings with representatives of local Serbs within the framework of the internal dialogue. A non-violent event, held in a democratic atmosphere, before TV crews, with citizens discussing problems and proposals for solutions, was disrupted by masked members of the Kosovo Police special units, armed to their teeth with rifles and battle ammunition. They raided the building at which the consultations were taking place in the harshest possible way, using crude force, hitting unarmed people with rifle butts and barrels. Among the injured were officials of the Government of the Republic of Serbia, ministers of the provincial government in Kosovo and Metohija, members of the provincial Parliament and other citizens. A total of 36 people were injured. One Serb, the Minister of the provincial government, was hospitalized.

Mr. Djuric was severely beaten, arrested and taken to Pristina, where, handcuffed, he was taken out of the police vehicle while watched on by local Albanians who chanted abuse against him, and dragged a few hundred metres to the police station, which was done in contravention of the standard police procedure and which action, having in mind extremism among Albanians that existed in the province, brought his life in jeopardy.

Representatives of the Provisional Institutions of Self-Government in Kosovo and Metohija, governed by the members of the Albanian minority, tried to justify this insane, undemocratic, brutal, irresponsible and unacceptable act, by refusal to grant the so-called permission for Mr. Djuric to visit the Province.

Such claims are untrue in many ways. First and foremost, no one needs any kind of permission, including Mr. Djuric, to stay in Kosovo and Metohija. In line with the Agreement on the Visits of the Officials, reached under the EU auspices, on 14 November 2014 and amended on 15 October 2016, the two sides must inform each other, within the proper timeframe (72 or 48 hours prior to the visit), that some official of either the state authorities of the Republic of Serbia or the provincial authorities from Pristina will travel and stay in Kosovo and Metohija or in some other part of Serbia. Pristina was duly notified about the arrival of Mr. Marko Djuric, much before

the deadline set by the Agreement. The notification had all prescribed elements and was even sent three times in the mentioned period.

One specific category of officials is subject to the simplified procedure of the other side and only logistic information is submitted for them. In line with the mentioned Agreement, the visits by such officials, and each side has one of those, should be made in a way of advancing the process of the normalization of relations or contributing to the overall work within the EU-facilitated dialogue. In that context, on behalf of the Republic of Serbia, Mr. Marko Djuric should be the one accorded special treatment and it was exactly him who was the victim of disregard not only for the Agreement on the visits of the officials, pursuant to which he duly notified his arrival to the province of which there is irrefutable evidence, but also of disregard for many other legal regulations. Beating up, arresting and mistreating the chief negotiator of the other side was unseen in modern history of negotiating and will serve as an example of inhuman, disrespectful and fraudulent conduct.

The Republic of Serbia was neither weakened nor insulted by this act because it knows who it is dealing with. However, the Republic of Serbia is shocked and worried by the lack of proper response on the part of the European Union to the shame of which is the harassment of the negotiator in the process where the EU acts as the facilitator and the mission of which (EULEX) located in Kosovo and Metohija should ensure the rule of law and proper conduct of Kosovo police. EULEX was not only an observer but also accomplice to this shameful incident. The Republic of Serbia is concerned that KFOR did not react either to the action by the special units of the Kosovo police, since it is the only legal and legitimate military presence in Kosovo and Metohija which should, in line with the reached agreements, prevent the special police units from even stepping in the north of the province where the said arrest took place. This apparently pre-planned terrifying provocation by Pristina unequivocally asserts the past positions of Serbia, expressed on many occasions, that aspirations by Pristina to change and expand the mandate of the so-called "Kosovo Security Forces" and start the process of their transformation into the "Kosovo Armed Forces", are absolutely inacceptable and it would further destabilize and undermine the security situation in the province.

The provocation by the Albanian political leaders, without the permission of whom the attack against peaceful citizens and their political leader would not have happened, has dealt a serious blow to the peace process and seriously threatens peace and security of not only Serbs in Kosovo and Metohija but of the entire region. If one state official of Serbian nationality could be brought into such jeopardy, then the non-Albanians of Kosovo and Metohija do not have many reasons to feel safe.

Although worrying about the peace in the entire Western Balkan region, the Republic of Serbia remains committed to a dialogue and peaceful settlement of disputes. Even in this situation it demonstrated maturity and patience, though it could not be found fault with by anyone if it reacted in stronger terms. The Republic of Serbia remains resolute to protect Serbian people in Kosovo and Metohija and will deem every armed attack against the citizens in the province as an attack against the state.

The Republic of Serbia is consistently and continuously advocating the respect of the principles of international law and legally binding UNSC Resolution 1244 (1999) under Chapter VII of the UN Charter. We recall that exactly in accordance with UNSC Resolution 1244 in force, Kosovo and Metohija is the territory of the Republic of Serbia under the UN interim administration as well as that the preservation of peace and security in the province falls within the competence of the international civil and security presence. All activities of the Republic of Serbia are a reflection of the efforts made to defend the authority of international law, the UN

Charter and the legally binding UNSC Resolution 1244 (1999) guaranteeing the sovereignty and territorial integrity of the Republic of Serbia. At the same time, they are also a reflection of a conviction in the context of non-acceptance of unilateralism as the way of solving any issue in the relations between Belgrade and Pristina.

We expect and ask of the United Nations, the EU, NATO and the OSCE to respect international law and agreements made when Serbia is concerned and to fulfil commitments undertaken and protect peaceful citizens from expulsion, persecution, intimidation and killing, and we warn that no one and specially not Albanians from Kosovo and Metohija can provoke and put to test the strength of Serbia.

We expect NATO/KFOR to abide by the powers vested in them under UNSC Resolution 1244 and the Military-Technical Agreement of 1999 with a view to preventing these and similar provocations by Pristina, as well as establishing peace, security and freedom of movement in Kosovo and Metohija. We expect, in particular, the representatives of the EU institutions and the member states to clearly and unequivocally condemn Pristina activities and call for the respect of the reached agreements and refrain from any further brutal provocations.

Please accept, Excellency, the assurances of my highest consideration.

(*Signed*) Ivica **Dačić**